



STATE OF MICHIGAN  
17TH JUDICIAL CIRCUIT COURT

KATHLEEN A. FEENEY  
CIRCUIT JUDGE

SUITE 10200 B  
180 OTTAWA AVENUE NW  
GRAND RAPIDS, MICHIGAN 49503-2751

September 28, 2006

Mr. Corbin Davis  
Michigan Supreme Court  
Michigan Hall of Justice  
925 West Ottawa  
PO Box 30052  
Lansing, MI 48909



Re: *Administrative File No. 2006-26*

Dear Mr. Corbin:

I am writing on behalf of the Kent County Circuit Court's Family Division to express our concern and opposition regarding the proposed changes to MCR 3.921(B)(1)(g) and (B)(2)(k). Specifically, these rule changes require that the court ensure that foster parents, preadoptive parents and relative caregivers of a child in foster care receive notice of all child protective proceedings, including dispositional review and permanency planning hearings.

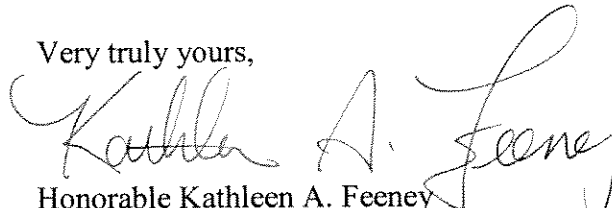
I believe that in his August 4, 2006 letter to you, Judge Thomas B. North raised many significant problems created by this proposed change. Judge Wallace Kent, Jr.'s August 14, 2006 letter also reflects the reality we face every day of not knowing the name or address of the foster parents because that information is not contained in DHS or agency reports received into evidence at our adjudication, disposition, or review hearings.

I felt compelled to write, nevertheless, to explain the consequences of public disclosure of foster parents' addresses, which is a necessary and obviously intended consequence of this rule change. In one case where I recently terminated a parent's parental rights, other family members discovered the location of the child's foster parents. Those family members posted signs in the foster parents' neighborhood accusing them of stealing the child, picketed outside the foster parents' home, and would drive by in their cars trying to have other neighborhood children bring the relative-child to the car. Those family members also picketed at the foster parent's workplace. In another case, the biological mother "abducted" the children, who were placed in foster care, as those children returned from school to the foster home. Again, the mother knew where the foster family lived.

If the court is required to give foster parents notice of these hearings and include their names and addresses on proofs of service included in the public court files, these outrageous behaviors will become more typical. Moreover, our foster parents will understandably be less inclined to provide valuable services for the families and judiciary across our state. I believe, however, that requiring DHS or its contract agencies to provide this notice would satisfy any concerns that the Supreme Court may have regarding the rights of foster parents, preadoptive parents, and relative caregivers to be present at the hearings.

Please feel free to contact me if you have any further questions or concerns.

Very truly yours,



Honorable Kathleen A. Feeney  
Kent County Circuit Court - Family Division

cc:

All Family Division Judges

Jack Roedema

David Drain

Terry Holtrop